

# **BOARD OF BUILDING CODE STANDARDS AND APPEALS MINUTES**

**June 3, 2013**

**Members:** Francisco Banuelos, Randy Coonrod, Daryl Crotts, Brad Doeden, Randy Harder, Russ Redford, Larry Webb, Gregg Wilhite, Warren Willenberg

**Present:** Coonrod, Crotts, Doeden, Redford, Webb, Willenberg

**Staff Members Present:** Bud Lett, Richard Meier, Deb Legge, Diane Patton, Elaine Hammons (MABCD); Jeff Van Zandt (City Law)

The regular meeting of the Board of Building Code Standards and Appeals was called to order by Chairman Coonrod on Monday, June 3, 2013, at 1:03 p.m., at the Wichita Area Builders' Association Offices, 730 N. Main, Wichita, Kansas.

## **Approval of the April 1, 2013, minutes.**

Board Member Crotts made a motion to approve the minutes for the May 6, 2013, minutes. Board Member Redford seconded the motion. The motion carried.

## **Public Agenda.**

There was no one present to speak on the Public Agenda.

## **New Business**

### **Condemnations:**

### **New Cases**

#### **1. 1023 S Wichita (Front and Rear)**

There was no one present on behalf of this property.

This is a one-story frame dwelling about 30 x 70 feet in size. Vacant for at least six months, this structure has been damaged by fire. It has fire damaged wood lap siding; fire damaged composition roof, with missing shingles; deteriorated rear porch; exposed, fire damaged framing members; and the two story, 20 x 30 foot accessory dwelling is dilapidated.

Since July 20, 2010, a Notice of Improvement and several violation notices have been issued on the front structure. The structure was damaged by fire in August of 2012. Since March 2000, several improvement notices and violation notices have been issued on the rear structure.

Board Member Crotts made a motion to send the property to the City Council with a recommendation of condemnation, with ten days to start demolition and ten days to complete the demolition. Board Member Webb seconded the motion. The motion passed.

#### **2. 1947 S Water (commercial)**

Michael Burk, the new owner of the property, was present.

Vacant for many years, this one-story frame commercial building is approximately 42 x 69 feet in size. This structure has a badly deteriorated wood and composition roof with missing shingles; rotted wood siding; rotted framing members; and rotted fascia and wood trim.

In November 2012, a nuisance case was initiated due to bulky waste resulting from the demolition of a small accessory structure. The owner cleaned up the property. Since November 30, 2012, a Notice of Violation and a Pre-condemnation letter were issued. There have been several Tall Grass & Weeds cases against this property, four of which resulted in abatement mowing by the City's contractor. As of May 29, 2013, it was noted after a site inspection that the front door was open. There is an active building permit on the property.

Chairman Coonrod explained that the Board's concern was the exterior condition of the property. Mr. Burk said he had cleared the trash from the site and had secured the structure. Board Member Webb inquired whether the openings of the building were boarded. Mr. Burk responded that they were boarded up.

Mr. Burk told the Board that he would like to have an extension until November 2013 for bringing the exterior into compliance. He said the previous owner may have the option of recovering the property, and Mr. Burk explained that he didn't want to put money into the repairs only to have the property reclaimed by the previous owner. Mr. Van Zandt advised the Board that there are legal remedies that Mr. Burk could take to eliminate the risk of losing the property to the previous owner on redemption.

Board Member Crotts made a motion to grant an extension until the September meeting, at which time Mr. Burk will report back to the Board with an update on the status of the property condition if it is not in compliance by that time, maintaining the site in a clean and secure condition in the interim. Board Member Webb seconded the motion. The motion was approved.

### **3. 1906 S Pattie**

No one attended the hearing on behalf of this property.

This one-story frame dwelling is about 30 x 48 feet in size. Vacant and open, this structure has fire damaged and missing wood shingle siding; fire damaged composition roof with holes; exposed, fire damaged framing members; fire damaged, dilapidated addition; rotted and missing fascia; and fire damaged wood trim.

The active file was started on this property on July 31, 2012, as a result of a fire. A Pre-condemnation Letter was issued on March 15, 2013. There is tall grass and weeds and bulky waste on the premises. The 2012 taxes are delinquent in the amount of \$444.48, which includes interest. The structure is open and no repairs have been made.

Board Member Redford made a motion to submit the property to the City Council with a recommendation of condemnation, with ten days to begin wrecking the structure and ten days to complete the razing. Board Member Willenberg seconded the motion. The motion carried.

### **Old Business**

Mr. Van Zandt told the Board he would provide some guidelines regarding conditions that could permit the Board to request an Executive Session with counsel.

With no other business to conduct, Board Member Willenberg made a motion to adjourn the meeting. Board Member Webb seconded the motion. The motion was approved.

The meeting adjourned at 1:18 p.m.